



COURT OF APPEALS

FOURTH COURT OF APPEALS DISTRICT
CADENA-REEVES JUSTICE CENTER
300 DOLOROSA, SUITE 3200
SAN ANTONIO, TEXAS 78205-3037
WWW.4THCOA.COURTS.STATE.TX.US

CATHERINE STONE
CHIEF JUSTICE

KAREN ANGELINI
SANDEE BRYAN MARION
MARIALYN BARNARD
REBECA C. MARTINEZ
PATRICIA O. ALVAREZ
LUZ ELENA D. CHAPA
JUSTICES

KEITH E. HOTTLE
CLERK OF COURT

TELEPHONE
(210) 335-2635

FACSIMILE NO.
(210) 335-2762

August 4, 2014

Legislative Budget Board
Robert E. Johnson Bldg., 4th Floor
1501 N. Congress
PO Box 12666
Austin, TX 78711

Governor's Office of Budget,
Planning and Policy
1100 San Jacinto, 4th Floor
PO Box 12428
Austin, TX 78711

Dear Ms. Parks and Ms. McGrath:

Enclosed please find the Request for Legislative Appropriations for Fiscal Years 2016 and 2017 from the Court of Appeals, Fourth District of Texas at San Antonio.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Catherine Stone".

Catherine Stone
Chief Justice

xc: State Auditor's Office
Legislative Reference Library
Texas State Publications Clearinghouse, State Library
Comptroller of Public Accounts
Department of Information Resources
Bond Review Board
Lt. Governor's Office
Speaker's Office
Senate Committee on Finance
House Committee on Appropriations
Office of Court Administration



CERTIFICATE

Agency Name Fourth Court of Appeals

This is to certify that the information contained in the agency Legislative Appropriations Request filed with the Legislative Budget Board (LBB) and the Governor's Office of Budget, Planning and Policy (GOBPP) is accurate to the best of my knowledge and that the electronic submission to the LBB via the Automated Budget and Evaluation System of Texas (ABEST) and the PDF file submitted via the LBB Document Submission application are identical.

Additionally, should it become likely at any time that unexpended balances will accrue for any account, the LBB and the GOBPP will be notified in writing in accordance with Article IX, Section 7.01 (2014-15 GAA).

Chief Executive Officer or Presiding Judge

Catherine Stone
Signature

Catherine Stone
Printed Name

Chief Justice
Title

August 4, 2014
Date

Board or Commission Chair

Signature

Printed Name

Title

Date

Chief Financial Officer

Keith E. Hottle
Signature

Keith E. Hottle
Printed Name

Clerk of the Court
Title

August 4, 2014
Date

LEGISLATIVE APPROPRIATIONS REQUEST

For Fiscal Years 2016 and 2017

Submitted to the Governor's Office of Budget, Planning and Policy
and the Legislative Budget Board

By

Court of Appeals
Fourth Court of Appeals District of Texas

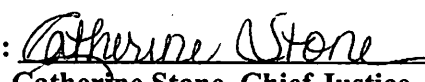
Catherine Stone, Chief Justice	2014	Helotes
Karen Angelini, Justice	2018	San Antonio
Sandee Bryan Marion, Justice	2016	San Antonio
Marialyn Barnard, Justice	2018	San Antonio
Rebeca C. Martinez, Justice	2018	San Antonio
Patricia O. Alvarez, Justice	2018	Laredo
Luz Elena D. Chapa, Justice	2018	San Antonio

August 4, 2014

Submitted By:


Keith E. Hottle, Clerk of the Court

Approved:


Catherine Stone, Chief Justice



Legislative Appropriations Request

For Fiscal Years 2016 and 2017

**Submitted to the
Governor's Office of Budget, Planning and Policy
and the Legislative Budget Board**

by

**Court of Appeals
Fourth Court of Appeals District of Texas**

August 4, 2014

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Administrator's Statement

7/31/2014 11:34:19AM

84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

224 Fourth Court of Appeals District, San Antonio

Administrator's Statement, Agency Submission
84th Regular Session, Agency Submission
Automated Budget and Evaluation System of Texas (ABEST)

The core function of Texas intermediate appellate courts is to process, review, and decide by written opinion or order appeals from criminal and civil trial courts. Since 2004, the yearly average of new appeals filed in the State of Texas is 10,086. This long term trend of new case filings in concert with an ever increasing number of cases eligible for expedited review clearly demonstrates that the workload within the appellate courts is significant. In order to effectively manage the demands being placed on the appellate courts, the courts must employ a highly skilled and trained professional workforce, including appellate court lawyers and clerical staff, who assist the justices of the court in disposing of cases and researching and writing opinions. This is critical to the court's ability to resolve these legal disputes and dispose of these appeals. The ability to maintain this highly skilled workforce in concert with handling an increase in case filings has been challenged in recent years.

The courts of appeal initiated steps to address this issue during the 79th and 80th Legislative Sessions, by collectively developing funding requests that sought necessary resources to similarly fund same-size appellate courts to: 1) create a career ladder for staff attorneys that would allow for the recruitment and retention of qualified attorneys; 2) reclassify the majority of law clerks as permanent staff attorneys; and 3) make salary adjustments for some non-legal staff to appropriately reflect levels of responsibility.

Going into the 81st Legislative Session, the courts updated the funding requests to continue the same-size court initiative of implementing a career ladder for attorneys by more closely matching court attorney salaries to attorney salaries in state agencies and county government; adding one or more permanent staff attorneys; and making appropriate salary adjustments for non-legal staff to reflect increasing levels of responsibility. The Legislature provided a portion of the requested funding, including attorney salaries (capped at a lower amount than requested) and an additional staff attorney position for most courts; however, the partial funding was provided in FY 2011 only. In the interim, as part of state leadership's directive to cut budgets in the face of the national economic downturn, the approved funding was reduced further, such that the courts were able to provide only some staff attorney salary adjustments, but not all courts were able to hire additional staff attorneys.

During the 82nd Legislative Session, the courts of appeal again expressed a critical need to continue working toward full implementation of the similar funding for same-size courts. However, the courts collectively decided not to pursue the needed resources due to the continuing economic challenges in Texas. The courts decided to only ask the Legislature not to reduce budgets for FY 2012-13. Despite these efforts, the economic downturn resulted in the courts' budgets being cut approximately 6% from levels appropriated in FY 2011.

The state leadership's directive to cut budgets during the 82nd Legislative Session, coupled with a legislative mandate to expedite the processing of parental termination cases and an increased number of case filings, imposed significant pressures on the courts' ability to meet performance objectives and dispose of cases in a timely manner.

In the 83rd Legislative Session, with the improving economy, the courts once again sought the funding necessary to enable the courts to meet their performance objectives and process appeals in a timely manner. The courts requested the funds necessary to fully implement the similar funding for same-sized courts initiative. For FY 2014-15, the Legislature provided half of the funding requested by the courts.

It is critical for the courts of appeals to continue working toward full implementation of the funding requests made in the 83rd Legislative Session. Funding the remaining half of the amount requested in the 83rd Legislative Session will assist the public's access to justice as the courts continue to meet the increasing demands

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224 Fourth Court of Appeals District, San Antonio

being placed on them and will increase the courts' ability to meet their performance objectives and minimize backlogs in the appeal process.

Exceptional Item #1: Similar Funding for Same-Size Courts.

Strategy Description/Justification

The courts of appeals continue to be challenged in their efforts to recruit and retain top quality staff. Moreover, increasing demands continue to threaten the court's ability to meet its performance objectives. In order to achieve the Court's mission, the Fourth Court of Appeals respectfully requests the remaining half of its previous request for similar funding for same-size courts. The funding needed to fully implement this initiative is \$592,420 in the FY 2016-17 biennium. This amount will proportionally fund the Fourth Court of Appeals in relation to similar-sized appellate courts and will enable recruitment and retention of professional staff with the requisite skills and training to facilitate the appeals process.

A core principal of the similar funds for same-size courts is to afford Courts of Appeals a staffing of two permanent staff attorneys for each justice on the court. It also allows for one legal assistant/secretary for each justice. The partial funding during the 83rd Legislative Session has prevented the courts from fully implementing this initiative. This has resulted in the court employing Law Clerks when permanent staff attorneys may be preferred. Furthermore, the court does not currently have the funds needed to hire the administrative staff outlined within the funding requests. Funding of this exceptional item will allow the court to: 1) reclassify two (2) law clerk positions as permanent staff attorneys if desired; 2) provide additional legal assistants as needed; 3) make salary adjustments for some legal and non-legal staff to levels specified within the guideline budget or to make adjustments to reflect levels of responsibility; and 4) increase funds available for operating expenses to offset previous cuts to the courts funding used for legal research materials.

External/Internal Factors

Appellate work requires specialized knowledge with the ability to analyze cases on appeal, assist with court opinions, and facilitate the processing of appeals to conclusion. This requires personnel that possess the requisite skills that can be obtained only through professional experience. Generally, law clerks do not possess the skills necessary to maximize efforts to assist the court in its workload. In addition, entry level support staff lack the requisite skills to fully support the court in its workload. The minimum number of lawyers an appellate court must have to perform at a reasonably productive and efficient level is two lawyers to each judge. Loss of experienced court lawyers creates difficulties in timely processing of and disposing of appeals and in maintaining professional business practices. Funding of this item will allow the court to recruit and retain well qualified professional staff, which is a major factor in the court's ability to fulfill its core function of timely processing and disposing of appeals while maintaining the quality of justice to which the citizens of Texas are entitled.

RIDER REQUESTS:

The court also requests the following with regard to the across-the-board riders found in Article IV (p. IV-42):

- 1) Retain Article IV rider, Sec 4, Appellate Court Exemptions
- 2) Retain Article IV rider, Sec 5, Appn: Unexpended Balances Between Fiscal Years within the Biennium
- 3) Delete Article IV rider, Sec 7, Appellate Court Salary Limits
- 4) Retain Article IV rider, Sec 8, Interagency Contracts for Assigned Judges for Appellate Courts.
- 5) Retain Article IV rider, Sec 9, Appellate Court Transfer Authority

Administrator's Statement

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224 Fourth Court of Appeals District, San Antonio

Historically, the Legislature has granted the courts exemption from certain limitations in the General Appropriations Act. They have also granted the authority to carryover unexpended budget balances between years of the biennium. The flexibility afforded by these measures enhances the court's management ability, and we seek continuation of these budget features.

The court seeks to delete the rider that establishes salary limits for the chief staff attorney or other permanent legal staff. The provision is antiquated as these positions are subject to the State of Texas Classification Plan.

INFORMATION TECHNOLOGY:

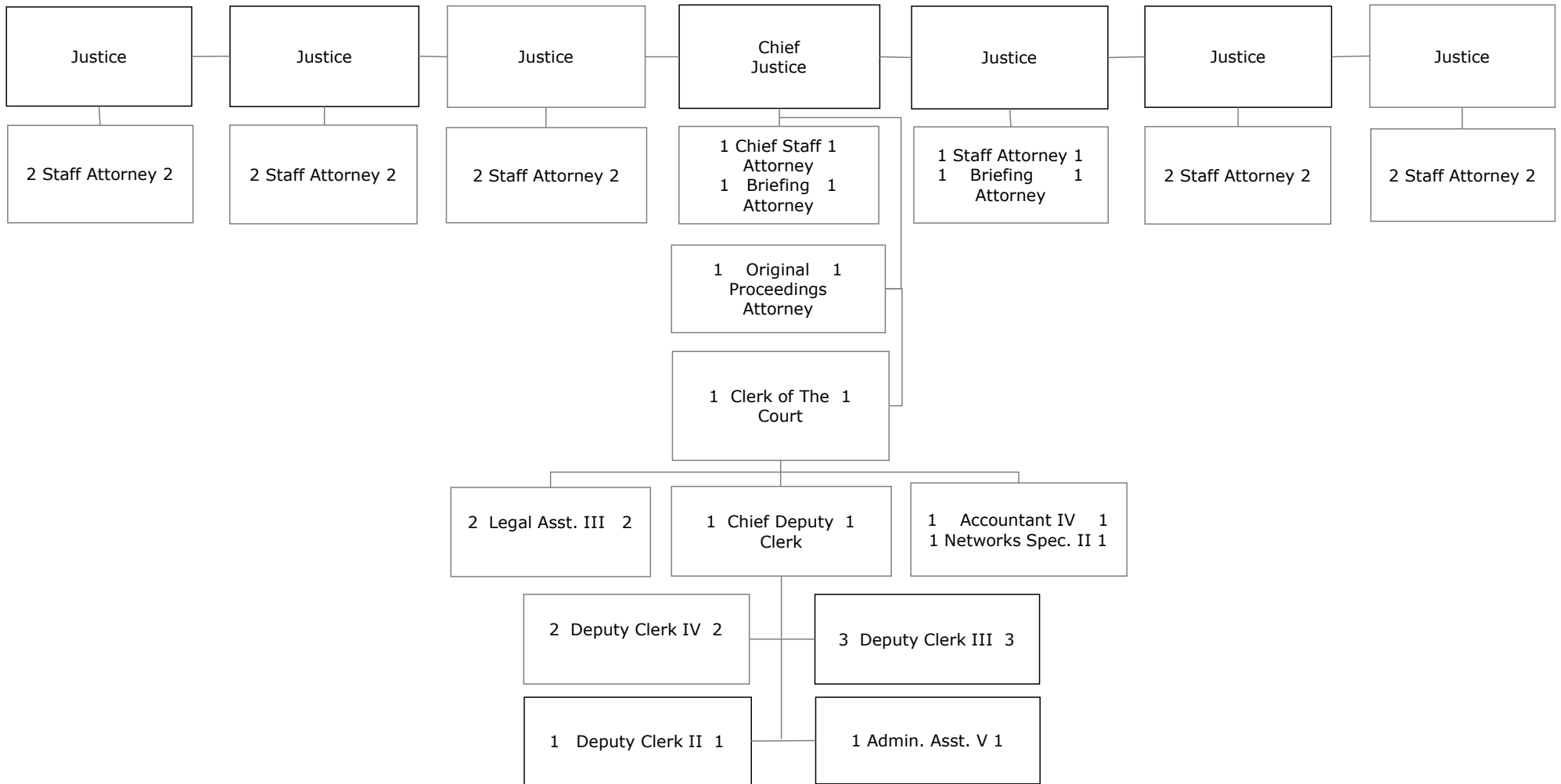
This court supports the consolidated budget approach represented in the biennial appropriations request of the Office of Court Administration. If the OCA's request is not fully funded for the 2016-17 biennium, this court would need additional funds to maintain its own, separate technology network.

CAPPS IMPLEMENTATION:

This Court has been designated as an agency eligible for conversion to CAPPS during the 2016-17 biennium. The Office of Court Administration is seeking additional funds in its biennial budget request to be used in the implementation of CAPPS at the courts of appeals. The Court supports the consolidated budget approach represented in the biennial appropriations request of the OCA. If the OCA's request for CAPPS deployment is not fully funded for the 2016-17 biennium, this Court would need additional funds to implement CAPPS during the biennium, including and not limited to, funds for project management services, backfill of critical positions, training and management services, IT programming support, computer operating and system updates, operation documentation updates, and travel costs.

Note: on Appropriated Receipts – At the direction of the LBB & Governor's Office, this court has included appropriated receipts in the amount of \$11,000, reflecting reimbursement for copies of opinions and other court documents. These amounts are merely an offset for additional expenses incurred by the court, and do not constitute additional funds available for general expenditures for the court. The amount can vary significantly from year to year.

**ORGANIZATION CHART
FOURTH COURT OF APPEALS
AGENCY 224
FY 2015 (2016-2017)**



2.A. Summary of Base Request by Strategy

7/28/2014 10:56:34AM

84th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

224 Fourth Court of Appeals District, San Antonio

Goal / Objective / STRATEGY	Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
1 Appellate Court Operations					
1 Appellate Court Operations					
1 APPELLATE COURT OPERATIONS	2,906,009	3,213,816	3,356,831	3,281,832	3,281,832
TOTAL, GOAL 1	\$2,906,009	\$3,213,816	\$3,356,831	\$3,281,832	\$3,281,832
TOTAL, AGENCY STRATEGY REQUEST	\$2,906,009	\$3,213,816	\$3,356,831	\$3,281,832	\$3,281,832
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	\$2,906,009	\$3,213,816	\$3,356,831	\$3,281,832	\$3,281,832

2.A. Summary of Base Request by Strategy

7/28/2014 10:56:34AM

84th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

224 Fourth Court of Appeals District, San Antonio

Goal / Objective / STRATEGY	Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
<u>METHOD OF FINANCING:</u>					
General Revenue Funds:					
1 General Revenue Fund	2,636,045	2,939,940	3,090,781	3,015,782	3,015,782
SUBTOTAL	\$2,636,045	\$2,939,940	\$3,090,781	\$3,015,782	\$3,015,782
Other Funds:					
573 Judicial Fund	213,050	213,050	213,050	213,050	213,050
666 Appropriated Receipts	14,914	18,826	11,000	11,000	11,000
777 Interagency Contracts	42,000	42,000	42,000	42,000	42,000
SUBTOTAL	\$269,964	\$273,876	\$266,050	\$266,050	\$266,050
TOTAL, METHOD OF FINANCING	\$2,906,009	\$3,213,816	\$3,356,831	\$3,281,832	\$3,281,832

*Rider appropriations for the historical years are included in the strategy amounts.

2.B. Summary of Base Request by Method of Finance

7/28/2014 10:56:35AM

84th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 224		Agency name: Fourth Court of Appeals District, San Antonio				
METHOD OF FINANCING		Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
<u>GENERAL REVENUE</u>						
<u>1</u> General Revenue Fund						
REGULAR APPROPRIATIONS						
Regular Appropriations from MOF Table (2012-13 GAA)						
		\$2,602,628	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2014-15 GAA)						
		\$0	\$2,898,840	\$2,898,838	\$0	\$0
Regular Appropriations from MOF Table						
		\$0	\$0	\$0	\$2,898,839	\$2,898,839
TRANSFERS						
Sec.11, Article IV Special Provisions, Appn for Judicial Compensation (2014-15 GAA)						
		\$0	\$115,500	\$115,500	\$115,500	\$115,500
Art IX, Sec 17.06 Salary Increase for General State Employees (2014-15 GAA)						
		\$0	\$600	\$1,443	\$1,443	\$1,443
LAPSED APPROPRIATIONS						
Lapsed Appropriation						

2.B. Summary of Base Request by Method of Finance

7/28/2014 10:56:35AM

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Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 224		Agency name: Fourth Court of Appeals District, San Antonio				
METHOD OF FINANCING		Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
<u>GENERAL REVENUE</u>						
		\$(1,865)	\$0	\$0	\$0	\$0
<i>UNEXPENDED BALANCES AUTHORITY</i>						
Strategy A.1.1, Appellate Court Operations (2012-13 GAA)						
		\$35,282	\$0	\$0	\$0	\$0
Strategy A.1.1, Appellate Court Operations (2014-15 GAA)						
		\$0	\$(75,000)	\$75,000	\$0	\$0
TOTAL,	General Revenue Fund	\$2,636,045	\$2,939,940	\$3,090,781	\$3,015,782	\$3,015,782
TOTAL, ALL	GENERAL REVENUE	\$2,636,045	\$2,939,940	\$3,090,781	\$3,015,782	\$3,015,782

OTHER FUNDS

573 Judicial Fund No. 573

REGULAR APPROPRIATIONS

Regular Appropriations from MOF Table (2012-13 GAA)

\$213,050	\$0	\$0	\$0	\$0
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Regular Appropriations from MOF Table (2014-15 GAA)

2.B. Summary of Base Request by Method of Finance

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Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 224		Agency name: Fourth Court of Appeals District, San Antonio				
METHOD OF FINANCING		Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
<u>OTHER FUNDS</u>						
		\$0	\$213,050	\$213,050	\$213,050	\$213,050
TOTAL,	Judicial Fund No. 573	\$213,050	\$213,050	\$213,050	\$213,050	\$213,050
<u>666</u>	Appropriated Receipts					
	<i>REGULAR APPROPRIATIONS</i>					
	Regular Appropriations from MOF Table (2012-13 GAA)	\$11,000	\$0	\$0	\$0	\$0
	Regular Appropriations from MOF Table (2014-15 GAA)	\$0	\$11,000	\$11,000	\$11,000	\$11,000
	<i>RIDER APPROPRIATION</i>					
	Art IX, Sec 8.03, Reimbursements and Payments (2012-13 GAA)	\$3,914	\$0	\$0	\$0	\$0
	Art IX, Sec 8.03, Reimbursements and Payments (2014-15 GAA)	\$0	\$7,826	\$0	\$0	\$0
TOTAL,	Appropriated Receipts	\$14,914	\$18,826	\$11,000	\$11,000	\$11,000

2.B. Summary of Base Request by Method of Finance

7/28/2014 10:56:35AM

84th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 224		Agency name: Fourth Court of Appeals District, San Antonio				
METHOD OF FINANCING		Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
<u>OTHER FUNDS</u>						
<u>777</u> Interagency Contracts						
<i>REGULAR APPROPRIATIONS</i>						
Regular Appropriations from MOF Table (2012-13 GAA)						
		\$42,000	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2014-15 GAA)						
		\$0	\$42,000	\$42,000	\$42,000	\$42,000
TOTAL,	Interagency Contracts	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000
TOTAL, ALL	OTHER FUNDS	\$269,964	\$273,876	\$266,050	\$266,050	\$266,050
GRAND TOTAL		\$2,906,009	\$3,213,816	\$3,356,831	\$3,281,832	\$3,281,832

2.B. Summary of Base Request by Method of Finance

7/28/2014 10:56:35AM

84th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 224	Agency name: Fourth Court of Appeals District, San Antonio				
METHOD OF FINANCING	Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
FULL-TIME-EQUIVALENT POSITIONS					
REGULAR APPROPRIATIONS					
Regular Appropriations from MOF Table (2012-13 GAA)	32.5	0.0	0.0	0.0	0.0
Regular Appropriations from MOF Table (2014-15 GAA)	0.0	37.0	37.0	37.0	37.0
UNAUTHORIZED NUMBER OVER (BELOW) CAP					
Unauthorized Number Over (Below) Cap	2.0	(2.3)	0.0	0.0	0.0
TOTAL, ADJUSTED FTES	34.5	34.7	37.0	37.0	37.0
NUMBER OF 100% FEDERALLY FUNDED FTEs					
	0.0	0.0	0.0	0.0	0.0

2.C. Summary of Base Request by Object of Expense

7/28/2014 10:56:36AM

84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)**224 Fourth Court of Appeals District, San Antonio**

OBJECT OF EXPENSE	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
1001 SALARIES AND WAGES	\$2,694,105	\$3,001,813	\$3,092,205	\$3,092,205	\$3,092,205
1002 OTHER PERSONNEL COSTS	\$49,754	\$59,341	\$72,485	\$72,485	\$72,485
2001 PROFESSIONAL FEES AND SERVICES	\$2,840	\$4,055	\$3,680	\$1,888	\$1,888
2003 CONSUMABLE SUPPLIES	\$8,185	\$8,325	\$10,562	\$5,417	\$5,417
2004 UTILITIES	\$2,410	\$2,501	\$2,910	\$1,492	\$1,492
2005 TRAVEL	\$950	\$296	\$1,233	\$632	\$632
2006 RENT - BUILDING	\$10,701	\$9,358	\$13,797	\$7,076	\$7,076
2007 RENT - MACHINE AND OTHER	\$1,210	\$1,430	\$1,558	\$799	\$799
2009 OTHER OPERATING EXPENSE	\$135,854	\$126,697	\$158,401	\$99,838	\$99,838
OOE Total (Excluding Riders)	\$2,906,009	\$3,213,816	\$3,356,831	\$3,281,832	\$3,281,832
OOE Total (Riders)					
Grand Total	\$2,906,009	\$3,213,816	\$3,356,831	\$3,281,832	\$3,281,832

2.C.1. Operating Costs Detail ~ Base Request

Date: 7/28/2014
Time: 10:56:36AM84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Agency Code: 224 Agency: Fourth Court of Appeals District, San Antonio

BASE REQUEST STRATEGY: 1-1-1 Appellate Court Operations

Code	Type of Expense	Expended 2013	Estimated 2014	Budgeted 2015	Requested 2016	Requested 2017
2	Postage	\$11,000	\$10,999	\$13,376	\$7,278	\$7,278
5	Westlaw/Lexis	12,890	17,434	23,800	12,978	12,978
6	Registrations/Training	1,331	20	3,469	878	878
11	Misc. Operating Costs	10,138	10,495	6,312	4,389	4,389
13	Furniture & Equipment (Expensed)	11,905	2,881	5,324	3,503	3,503
15	Printing & Reproduction	2,333	954	2,840	1,545	1,545
24	Freight/Delivery	4,689	7,852	5,696	3,099	3,099
46	Communication Services	2,699	2,799	3,000	1,604	1,604
55	Computer Furn & Equip-Controlled	3,945	0	3,824	2,081	2,081
56	Computer Equipment - Expensed	13,533	539	5,841	2,897	2,897
64	SORM Assessment	4,037	3,549	4,905	2,669	2,669
164	Books/Reference Materials	29,998	37,052	46,145	25,108	25,108
171	Insurance Premiums	3,714	3,707	4,518	2,458	2,458
195	Payroll Health Insurance Contrib.	23,642	28,416	29,351	29,351	29,351
Total, Operating Costs		\$135,854	\$126,697	\$158,401	\$99,838	\$99,838

2.D. Summary of Base Request Objective Outcomes
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation system of Texas (ABEST)

7/28/2014 10:56:36AM

224 Fourth Court of Appeals District, San Antonio					
<i>Goal/ Objective / Outcome</i>	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
1 Appellate Court Operations					
1 Appellate Court Operations					
KEY 1 Clearance Rate					
	94.91%	100.00%	100.00%	100.00%	100.00%
KEY 2 Percentage of Cases Under Submission for Less Than One Year					
	100.00%	100.00%	100.00%	100.00%	100.00%
KEY 3 Percentage of Cases Pending for Less Than Two Years					
	99.76%	99.96%	100.00%	100.00%	100.00%

2.E. Summary of Exceptional Items Request
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/28/2014
TIME : 10:56:37AM

Agency code: 224

Agency name: Fourth Court of Appeals District, San Antonio

Priority	Item	2016			2017			Biennium	
		GR and GR/GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds
1	Similar Funding	\$296,211	\$296,211	2.0	\$296,211	\$296,211	2.0	\$592,422	\$592,422
Total, Exceptional Items Request		\$296,211	\$296,211	2.0	\$296,211	\$296,211	2.0	\$592,422	\$592,422
Method of Financing									
	General Revenue	\$296,211	\$296,211		\$296,211	\$296,211		\$592,422	\$592,422
	General Revenue - Dedicated								
	Federal Funds								
	Other Funds								
		\$296,211	\$296,211		\$296,211	\$296,211		\$592,422	\$592,422
Full Time Equivalent Positions				2.0				2.0	
Number of 100% Federally Funded FTEs				0.0				0.0	

2.F. Summary of Total Request by Strategy
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE : 7/28/2014
TIME : 10:56:37AM

Agency code: 224	Agency name: Fourth Court of Appeals District, San Antonio					
Goal/Objective/STRATEGY	Base 2016	Base 2017	Exceptional 2016	Exceptional 2017	Total Request 2016	Total Request 2017
1 Appellate Court Operations						
1 Appellate Court Operations						
1 APPELLATE COURT OPERATIONS	\$3,281,832	\$3,281,832	\$296,211	\$296,211	\$3,578,043	\$3,578,043
TOTAL, GOAL 1	\$3,281,832	\$3,281,832	\$296,211	\$296,211	\$3,578,043	\$3,578,043
TOTAL, AGENCY STRATEGY REQUEST	\$3,281,832	\$3,281,832	\$296,211	\$296,211	\$3,578,043	\$3,578,043
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST						
GRAND TOTAL, AGENCY REQUEST	\$3,281,832	\$3,281,832	\$296,211	\$296,211	\$3,578,043	\$3,578,043

2.F. Summary of Total Request by Strategy
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE : 7/28/2014
TIME : 10:56:37AM

Agency code: 224		Agency name: Fourth Court of Appeals District, San Antonio				
Goal/Objective/STRATEGY	Base 2016	Base 2017	Exceptional 2016	Exceptional 2017	Total Request 2016	Total Request 2017
General Revenue Funds:						
1 General Revenue Fund	\$3,015,782	\$3,015,782	\$296,211	\$296,211	\$3,311,993	\$3,311,993
	\$3,015,782	\$3,015,782	\$296,211	\$296,211	\$3,311,993	\$3,311,993
Other Funds:						
573 Judicial Fund	213,050	213,050	0	0	213,050	213,050
666 Appropriated Receipts	11,000	11,000	0	0	11,000	11,000
777 Interagency Contracts	42,000	42,000	0	0	42,000	42,000
	\$266,050	\$266,050	\$0	\$0	\$266,050	\$266,050
TOTAL, METHOD OF FINANCING	\$3,281,832	\$3,281,832	\$296,211	\$296,211	\$3,578,043	\$3,578,043
FULL TIME EQUIVALENT POSITIONS						
	37.0	37.0	2.0	2.0	39.0	39.0

2.G. Summary of Total Request Objective Outcomes
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation system of Texas (ABEST)

Date : 7/28/2014
Time: 10:56:37AM

Agency code: **224** Agency name: **Fourth Court of Appeals District, San Antonio**

Goal/ Objective / Outcome

		BL 2016	BL 2017	Excp 2016	Excp 2017	Total Request 2016	Total Request 2017
1	Appellate Court Operations						
1	Appellate Court Operations						
KEY	1 Clearance Rate						
		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
KEY	2 Percentage of Cases Under Submission for Less Than One Year						
		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
KEY	3 Percentage of Cases Pending for Less Than Two Years						
		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

224 Fourth Court of Appeals District, San Antonio

GOAL:	1	Appellate Court Operations	Statewide Goal/Benchmark:	0	0
OBJECTIVE:	1	Appellate Court Operations	Service Categories:		
STRATEGY:	1	Appellate Court Operations	Service: 01	Income: A.2	Age: B.3

CODE	DESCRIPTION	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
Output Measures:						
1	Number of Civil Cases Disposed	501.00	512.00	492.00	492.00	492.00
2	Number of Criminal Cases Disposed	375.00	418.00	410.00	410.00	410.00
Explanatory/Input Measures:						
1	Number of Civil Cases Filed	507.00	518.00	479.00	479.00	479.00
2	Number of Criminal Cases Filed	349.00	379.00	394.00	394.00	394.00
3	Number of Cases Transferred in	71.00	10.00	0.00	0.00	0.00
4	Number of Cases Transferred out	1.00	50.00	0.00	0.00	0.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$2,694,105	\$3,001,813	\$3,092,205	\$3,092,205	\$3,092,205
1002	OTHER PERSONNEL COSTS	\$49,754	\$59,341	\$72,485	\$72,485	\$72,485
2001	PROFESSIONAL FEES AND SERVICES	\$2,840	\$4,055	\$3,680	\$1,888	\$1,888
2003	CONSUMABLE SUPPLIES	\$8,185	\$8,325	\$10,562	\$5,417	\$5,417
2004	UTILITIES	\$2,410	\$2,501	\$2,910	\$1,492	\$1,492
2005	TRAVEL	\$950	\$296	\$1,233	\$632	\$632
2006	RENT - BUILDING	\$10,701	\$9,358	\$13,797	\$7,076	\$7,076
2007	RENT - MACHINE AND OTHER	\$1,210	\$1,430	\$1,558	\$799	\$799
2009	OTHER OPERATING EXPENSE	\$135,854	\$126,697	\$158,401	\$99,838	\$99,838

224 Fourth Court of Appeals District, San Antonio

GOAL: 1 Appellate Court Operations
OBJECTIVE: 1 Appellate Court Operations
STRATEGY: 1 Appellate Court Operations

Statewide Goal/Benchmark: 0 0
Service Categories:
Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
TOTAL, OBJECT OF EXPENSE		\$2,906,009	\$3,213,816	\$3,356,831	\$3,281,832	\$3,281,832
Method of Financing:						
1	General Revenue Fund	\$2,636,045	\$2,939,940	\$3,090,781	\$3,015,782	\$3,015,782
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$2,636,045	\$2,939,940	\$3,090,781	\$3,015,782	\$3,015,782
Method of Financing:						
573	Judicial Fund	\$213,050	\$213,050	\$213,050	\$213,050	\$213,050
666	Appropriated Receipts	\$14,914	\$18,826	\$11,000	\$11,000	\$11,000
777	Interagency Contracts	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000
SUBTOTAL, MOF (OTHER FUNDS)		\$269,964	\$273,876	\$266,050	\$266,050	\$266,050
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$3,281,832	\$3,281,832
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$2,906,009	\$3,213,816	\$3,356,831	\$3,281,832	\$3,281,832
FULL TIME EQUIVALENT POSITIONS:		34.5	34.7	37.0	37.0	37.0
STRATEGY DESCRIPTION AND JUSTIFICATION:						

224 Fourth Court of Appeals District, San Antonio

GOAL:	1	Appellate Court Operations	Statewide Goal/Benchmark:	0	0
OBJECTIVE:	1	Appellate Court Operations	Service Categories:		
STRATEGY:	1	Appellate Court Operations	Service: 01	Income: A.2	Age: B.3

CODE	DESCRIPTION	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
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The Fourth Court of Appeals was created in 1893 by an amendment to Article 1822, V.T.C.S. pursuant to authority granted by Article V Section 1, Texas Constitution. This Court has intermediate appellate jurisdiction of civil and criminal cases appealed from lower courts in civil cases where judgments rendered exceed \$100, exclusive of costs and other civil proceedings as provided by law; and in criminal cases except in post-conviction writs of habeas corpus and where the death penalty has been imposed. This Court has jurisdiction in thirty-two counties.

The core function of the state courts of appeals is to provide justice for the thousands of litigants who seek review of trial court judgments that affect their lives and their businesses. The appellate courts of Texas process, review, and decide by written opinion or order appeals from criminal and civil trial courts. This requires a highly skilled and trained professional workforce, including appellate court lawyers and clerical staff, who assist the justices of the court in disposing of cases and researching and writing opinions.

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

Courts of Appeals are relatively small entities with specialized staffing requirements. The core function of the court is to process and review appeals from civil and criminal trial courts. This requires a highly skilled and trained professional workforce of appellate court lawyers who assist the judges of the court in disposing of cases and researching and writing opinions. Funding of this item will allow the court to recruit and retain well qualified professional staff, which is a major factor in the court's ability to fulfill its core function of timely processing and disposing of appeals while maintaining the quality of justice to which the citizens of Texas are entitled.

SUMMARY TOTALS:

OBJECTS OF EXPENSE:	\$2,906,009	\$3,213,816	\$3,356,831	\$3,281,832	\$3,281,832
METHODS OF FINANCE (INCLUDING RIDERS):				\$3,281,832	\$3,281,832
METHODS OF FINANCE (EXCLUDING RIDERS):	\$2,906,009	\$3,213,816	\$3,356,831	\$3,281,832	\$3,281,832
FULL TIME EQUIVALENT POSITIONS:	34.5	34.7	37.0	37.0	37.0

3.B. Rider Revisions and Additions Request

Agency Code:	Agency Name:	Prepared By:	Date:	Request Level:
224	Fourth Court of Appeals	Keith E. Hottle, Clerk of the Court	August 4, 2014	Baseline
Current Rider Number	Page Number in 2014-15 GAA	Proposed Rider Language		
4	IV-42	<p>Appellate Court Exemptions. The following provisions of Article IX of this Act do not apply to the appellate courts:</p> <ul style="list-style-type: none"> a. Article IX, § 6.10, Limitation on State Employment Levels b. Article IX, § 6.13, Performance Rewards and Penalties c. Article IX, §14.03, Limit on Expenditures - Capital Budget <p><i>Request continuation of this rider.</i></p>		
5	IV-42	<p>Appropriation: Unexpended Balances Between Fiscal Years within the Biennium. Any unexpended balances from appropriations made to the appellate courts for fiscal year 2014 <u>2016</u> are hereby appropriated to the same court for fiscal year 2015-2017 for the same purposes.</p> <p><i>Request continuation of this rider. Change years to reflect the new biennium.</i></p>		
7	IV-42	<p>Appellate Court Salary Limits. It is the intent of the Legislature that no intermediate appellate court may pay more than one chief staff attorney promoted or hired after September 1, 2013, more than \$94,950 annually under this provision. Further, it is the intent of the Legislature that no intermediate appellate court may pay other permanent legal staff hired or promoted after September 1, 2013 more than \$84,175 annually. This provision does not apply to law clerk positions at any appellate court.</p> <p><i>Request deletion of this rider. These positions are covered under the State of Texas Position Classification Act, which determines the classification and compensation range of each position in the courts (and all state agencies). Originally, this rider was used to distinguish salary increases given specifically to the courts for attorney salaries from across-the-board increases for all state employees. Subsequent legislatures have addressed this issue through directive riders in Article IX to ensure there is no overlap or duplication of salary actions for specific classes of state employees. Currently, staff attorneys at the courts of appeals are the only position classification employees across the state with a mandated ceiling on the amount they can earn that is lower than the maximum allowed by the Position Classification Plan.</i></p> <p><i>This rider is no longer necessary, thus, the courts request that it be deleted.</i></p>		

3.B. Rider Revisions and Additions Request (continued)

8	IV-42	<p>Interagency Contracts for Assigned Judges for Appellate Courts. Out of funds appropriated in this Article to Strategies A.1.1, Appellate Court Operations, the Supreme Court of Texas, the Court of Criminal Appeals, or any of the 14 Courts of Appeals may enter into a contract with the Office of the Comptroller for fiscal years 2012 <u>2016</u> and 2013 <u>2017</u>, for the purpose of reimbursing the Comptroller for amounts expended for judges assigned under Chapter 74, Government Code to hear cases of the appellate courts. It is the intent of the Legislature that any amounts reimbursed under this contract for judges assigned to the appellate courts are in addition to amounts appropriated for the use of assigned judges in Strategy A.1.3, Visiting Judges - Appellate in the Judiciary Section, Comptroller's Department.</p> <p><i>Request continuation of this rider. Change years to reflect the new biennium.</i></p>
9	IV-42	<p>Appellate Court Transfer Authority. The Chief Justice of the Supreme Court of Texas, the Presiding Judge of the Court of Criminal Appeals, or the Chair of the Council of Chief Justices is authorized to transfer funds between appellate courts, notwithstanding any other provision in this Act and subject to prior approval of any transfer of funds by the Legislative Budget Board and the Governor. Any such transfer shall be made for the purpose of efficient and effective appellate court operations and management of court caseloads.</p> <p><i>Request continuation of this rider.</i></p>

4.A. Exceptional Item Request Schedule
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/29/2014
TIME: 10:43:41AM

Agency code: 224

Agency name:

Fourth Court of Appeals District, San Antonio

CODE	DESCRIPTION			Excp 2016	Excp 2017
		Item Name:	Similar Funding for Same-sized Courts		
		Item Priority:	1		
	Includes Funding for the Following Strategy or Strategies:	01-01-01	Appellate Court Operations		
OBJECTS OF EXPENSE:					
1001	SALARIES AND WAGES			231,114	231,114
2003	CONSUMABLE SUPPLIES			65,097	65,097
TOTAL, OBJECT OF EXPENSE				\$296,211	\$296,211
METHOD OF FINANCING:					
1	General Revenue Fund			296,211	296,211
TOTAL, METHOD OF FINANCING				\$296,211	\$296,211
FULL-TIME EQUIVALENT POSITIONS (FTE):				2.00	2.00

DESCRIPTION / JUSTIFICATION:

During the 83rd Legislative Session, the courts of appeals submitted a request to fully implement funding in their Similar Funding for Same-Size Courts initiative. The Legislature graciously approved half of the amounts requested by the courts of appeals. However, challenges remain in recruiting and retaining top quality staff, and increasing demands continue to threaten the court's ability to meet its performance objectives. In order to achieve the Court's mission, the Fourth Court respectfully requests the remaining half of its previous request for similar funding for same-size courts. The funding needed to fully implement this initiative is \$592,422 in the FY 2016-17 biennium. This amount will proportionally fund the Fourth Court of Appeals in relation to similar-sized appellate courts and will enable recruitment and retention of professional staff with the requisite skills and training to facilitate the appeals process.

EXTERNAL/INTERNAL FACTORS:

Appellate work requires specialized knowledge with the ability to analyze cases on appeal, assist with court opinions, and facilitate the processing of appeals to conclusion. This requires personnel that possess the requisite skills that can be obtained only through professional experience. Generally, law clerks do not possess the skills necessary to maximize efforts to assist the court in its workload. In addition, entry level support staff lack the requisite skills to fully support the court in its workload. The minimum number of lawyers an appellate court must have to perform at a reasonably productive and efficient level is two lawyers to each judge. Loss of experienced court lawyers creates difficulties in timely processing of and disposing of appeals and in maintaining professional business practices. Funding of this item will allow the court to recruit and retain well qualified professional staff, which is a major factor in the court's ability to fulfill its core function of timely processing and disposing of appeals while maintaining the quality of justice to which the citizens of Texas are entitled.

Agency code:	224	Agency name:	Fourth Court of Appeals District, San Antonio		
Code	Description		Excp 2016	Excp 2017	
Item Name:	Similar Funding for Same-sized Courts				
Allocation to Strategy:	1-1-1	Appellate Court Operations			
STRATEGY IMPACT ON OUTCOME MEASURES:					
1	Clearance Rate		100.00%	100.00%	
2	Percentage of Cases Under Submission for Less Than One Year		100.00%	100.00%	
3	Percentage of Cases Pending for Less Than Two Years		100.00%	100.00%	
OUTPUT MEASURES:					
1	Number of Civil Cases Disposed		15.00	15.00	
2	Number of Criminal Cases Disposed		15.00	15.00	
OBJECTS OF EXPENSE:					
1001	SALARIES AND WAGES		231,114	231,114	
2003	CONSUMABLE SUPPLIES		65,097	65,097	
TOTAL, OBJECT OF EXPENSE			\$296,211	\$296,211	
METHOD OF FINANCING:					
1	General Revenue Fund		296,211	296,211	
TOTAL, METHOD OF FINANCING			\$296,211	\$296,211	
FULL-TIME EQUIVALENT POSITIONS (FTE):			2.0	2.0	

4.C. Exceptional Items Strategy Request
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/28/2014
TIME: 11:25:22AM

Agency Code:	224	Agency name:	Fourth Court of Appeals District, San Antonio	
GOAL:	1 Appellate Court Operations	Statewide Goal/Benchmark:	0 - 0	
OBJECTIVE:	1 Appellate Court Operations	Service Categories:		
STRATEGY:	1 Appellate Court Operations	Service: 01	Income: A.2	Age: B.3

CODE DESCRIPTION	Excp 2016	Excp 2017
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STRATEGY IMPACT ON OUTCOME MEASURES:

<u>1</u> Clearance Rate	100.00 %	100.00 %
<u>2</u> Percentage of Cases Under Submission for Less Than One Year	100.00 %	100.00 %
<u>3</u> Percentage of Cases Pending for Less Than Two Years	100.00 %	100.00 %

OBJECTS OF EXPENSE:

1001 SALARIES AND WAGES	231,114	231,114
2003 CONSUMABLE SUPPLIES	65,097	65,097
Total, Objects of Expense	\$296,211	\$296,211

METHOD OF FINANCING:

1 General Revenue Fund	296,211	296,211
Total, Method of Finance	\$296,211	\$296,211

FULL-TIME EQUIVALENT POSITIONS (FTE):	2.0	2.0
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EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

Similar Funding for Same-sized Courts

6.A. Historically Underutilized Business Supporting Schedule
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/28/2014
Time: 10:56:39AM

Agency Code: 224 Agency: Fourth Court of Appeals District, San Antonio

COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS

A. Fiscal Year 2012 - 2013 HUB Expenditure Information

Statewide HUB Goals	Procurement Category	% Goal	HUB Expenditures FY 2012			Total Expenditures		HUB Expenditures FY 2013			Total Expenditures	
			% Actual	Diff	Actual \$	FY 2012	% Goal	% Actual	Diff	Actual \$	FY 2013	
11.2%	Heavy Construction	11.2 %	0.0%	-11.2%	\$0	\$0	11.2 %	0.0%	-11.2%	\$0	\$0	
21.1%	Building Construction	21.1 %	0.0%	-21.1%	\$0	\$0	21.1 %	0.0%	-21.1%	\$0	\$0	
32.7%	Special Trade Construction	32.7 %	0.0%	-32.7%	\$0	\$0	32.7 %	0.0%	-32.7%	\$0	\$0	
23.6%	Professional Services	23.6 %	0.0%	-23.6%	\$0	\$0	23.6 %	0.0%	-23.6%	\$0	\$1,650	
24.6%	Other Services	24.6 %	4.6%	-20.0%	\$1,280	\$27,917	24.6 %	0.0%	-24.6%	\$0	\$22,779	
21.0%	Commodities	21.0 %	75.4%	54.4%	\$24,727	\$32,775	21.0 %	12.6%	-8.4%	\$3,625	\$28,809	
	Total Expenditures		42.9%		\$26,007	\$60,692		6.8%		\$3,625	\$53,238	

B. Assessment of Fiscal Year 2012 - 2013 Efforts to Meet HUB Procurement Goals

Attainment:

The court attained or exceeded one of two, or 50%, of the applicable statewide HUB procurement goals in FY 2012. The court did not attain the applicable statewide HUB procurement goals in FY 2013.

Applicability:

The "Heavy Construction", "Building Construction" and "Special Trade Construction" categories are not applicable to court operations in fiscal years 2012 and 2013.

Factors Affecting Attainment:

In both fiscal year 2012 and 2013, the goal of the "Other Services" category was not met since the main expense of that category was for publications that are only available from sole source vendors. The restriction limits the court to contracting with non-HUB vendors.

"Good-Faith" Efforts:

The agency made the following faith efforts to comply with statewide HUB procurement goals per 34 TAC Section 20.13(d):

- ensured that contract specifications, terms, and conditions reflected the agency's actual requirements, were clearly stated, and did not impose unreasonable or unnecessary contract requirements.
- provided potential bidders with a list of certified HUBs for subcontracting, and
- prepared and distributed information on procurement procedures in a manner that encouraged participation in agency contracts by all businesses.

6.H. Estimated Total of All Agency Funds Outside the GAA Bill Pattern
Fourth Court of Appeals District

ESTIMATED GRAND TOTAL OF AGENCY FUNDS OUTSIDE THE 2016-17 GAA BILL PATTERN	\$	613,369
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Fund Name

Estimated Beginning Balance in FY 2014	\$	187,297
Estimated Revenues FY 2014	\$	229,659
Estimated Revenues FY 2015	\$	229,659
FY 2014-15 Total	\$	646,615
Estimated Beginning Balance in FY 2016	\$	154,051
Estimated Revenues FY 2016	\$	229,659
Estimated Revenues FY 2017	\$	229,659
FY 2016-17 Total	\$	613,369

Constitutional or Statutory Creation and Use of Funds:

Section 22.2051 of the Texas Government Code provides that the commissioners court of each county in the Fourth Court of Appeals District shall establish an appellate judicial system to (1) assist the court of appeals for the county in the processing of appeals filed with the court of appeals from the county courts, county courts at law, probate courts, and district courts; and (2) defray costs and expenses incurred by the county under Section 22.205. The commissioners court shall fund the system by setting a court costs fee of not more than \$5 for each civil suit filed in county court, county court at law, probate court, or district court in the county. The fund may not be used for any other purpose.

Method of Calculation and Revenue Assumptions:

Revenue assumptions are based on current year collections. The number of civil suits filed determines the actual revenue received.

6.I. Percent Biennial Base Reduction Options

10 % REDUCTION

84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/31/2014
Time: 7:50:10AM

Agency code: 224 Agency name: Fourth Court of Appeals District, San Antonio

Item Priority and Name/ Method of Financing	REVENUE LOSS			REDUCTION AMOUNT			TARGET
	2016	2017	Biennial Total	2016	2017	Biennial Total	
1 Eliminate Positions							
Category: Administrative - FTEs / Layoffs							
Item Comment: A 10% reduction in the Fourth Court's General Revenue (GR) will result in the loss of one permanent staff attorney; the loss of one Administrative position; the reclassification of three permanent staff attorneys to Law Clerk II, with a corresponding reduction in salary; and a salary reduction of the other two remaining Law Clerk II positions. The court will be forced to eliminate a Staff Attorney position, which constitutes approximately 7% of the Court's legal staff and a Administrative position, which represents an 8% reduction in the court's administrative staff. The loss of these two positions will result in a biennial reduction of \$275,542. If implemented, the Court will no longer have the resources needed to timely process and decide appeals. It will devastate the Court's ability to fulfill its mission of providing appellate services to thirty-two counties in central and south Texas. Because a majority of the Court's funding is dedicated to salaries, and because the Court has previously reduced its operating expenses to the lowest possible amount, a 10% reduction can be achieved only through lowering salaries and eliminating position(s). The cuts and reductions necessitated by a 10% reduction in GR will adversely affect clearance rates, contribute to a significant backlog in case dispositions, and clog the Court's docket with pending cases.							
Strategy: 1-1-1 Appellate Court Operations							
<u>General Revenue Funds</u>							
1 General Revenue Fund	\$0	\$0	\$0	\$137,771	\$137,771	\$275,542	
General Revenue Funds Total	\$0	\$0	\$0	\$137,771	\$137,771	\$275,542	
Item Total	\$0	\$0	\$0	\$137,771	\$137,771	\$275,542	
FTE Reductions (From FY 2016 and FY 2017 Base Request)				2.0	2.0		

2 Across the Board Reductions

Category: Across the Board Reductions

6.I. Percent Biennial Base Reduction Options

10 % REDUCTION

84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/31/2014
Time: 7:50:10AM

Agency code: 224 Agency name: Fourth Court of Appeals District, San Antonio

	REVENUE LOSS			REDUCTION AMOUNT			TARGET																																																								
Item Priority and Name/ Method of Financing	2016	2017	Biennial Total	2016	2017	Biennial Total																																																									
<p>Item Comment: A 10% reduction in the Fourth Court’s General Revenue (GR) will further result in the reclassification of three permanent staff attorneys to Law Clerk II, with a corresponding reduction in salary to approximately half of the current salary; and a salary reduction of the remaining two Law Clerk II positions. The reclassification of three permanent staff attorneys is, for all practical purposes, a further reduction of the Court’s permanent legal staff. Thus, the true effect of eliminating one permanent staff attorney, reclassifying three permanent staff attorneys and reducing the salaries of the two other Law Clerks represents an adverse action to 40% of the Court’s legal staff. The reduction in salary for all Law Clerk II positions drops the salary significantly below other entry level legal positions in both the public and private sectors and will likely deter top graduates from applying with the Court. This action will result in a biennial reduction of \$278,601. If implemented, the Court will no longer have the resources needed to timely process and decide appeals. It will devastate the Court’s ability to fulfill its mission of providing appellate services to thirty-two counties in central and south Texas. Because a majority of the Court’s funding is dedicated to salaries, and because the Court has previously reduced its operating expenses to the lowest possible amount, a 10% reduction can be achieved only through lowering salaries and eliminating position(s). The cuts and reductions necessitated by a 10% reduction in GR will adversely affect clearance rates, contribute to a significant backlog in case dispositions, and clog the Court’s docket with pending cases.</p> <p>Strategy: 1-1-1 Appellate Court Operations</p> <p><u>General Revenue Funds</u></p> <table><tr><td>1 General Revenue Fund</td><td>\$0</td><td>\$0</td><td>\$0</td><td>\$139,301</td><td>\$139,300</td><td>\$278,601</td><td></td></tr><tr><td>General Revenue Funds Total</td><td>\$0</td><td>\$0</td><td>\$0</td><td>\$139,301</td><td>\$139,300</td><td>\$278,601</td><td></td></tr><tr><td>Item Total</td><td>\$0</td><td>\$0</td><td>\$0</td><td>\$139,301</td><td>\$139,300</td><td>\$278,601</td><td></td></tr></table> <p>FTE Reductions (From FY 2016 and FY 2017 Base Request)</p> <p>AGENCY TOTALS</p> <table><tr><td>General Revenue Total</td><td></td><td></td><td></td><td>\$277,072</td><td>\$277,071</td><td>\$554,143</td><td>\$554,143</td></tr><tr><td>Agency Grand Total</td><td>\$0</td><td>\$0</td><td>\$0</td><td>\$277,072</td><td>\$277,071</td><td>\$554,143</td><td></td></tr><tr><td>Difference, Options Total Less Target</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Agency FTE Reductions (From FY 2016 and FY 2017 Base Request)</td><td></td><td></td><td></td><td>2.0</td><td>2.0</td><td></td><td></td></tr></table>								1 General Revenue Fund	\$0	\$0	\$0	\$139,301	\$139,300	\$278,601		General Revenue Funds Total	\$0	\$0	\$0	\$139,301	\$139,300	\$278,601		Item Total	\$0	\$0	\$0	\$139,301	\$139,300	\$278,601		General Revenue Total				\$277,072	\$277,071	\$554,143	\$554,143	Agency Grand Total	\$0	\$0	\$0	\$277,072	\$277,071	\$554,143		Difference, Options Total Less Target								Agency FTE Reductions (From FY 2016 and FY 2017 Base Request)				2.0	2.0		
1 General Revenue Fund	\$0	\$0	\$0	\$139,301	\$139,300	\$278,601																																																									
General Revenue Funds Total	\$0	\$0	\$0	\$139,301	\$139,300	\$278,601																																																									
Item Total	\$0	\$0	\$0	\$139,301	\$139,300	\$278,601																																																									
General Revenue Total				\$277,072	\$277,071	\$554,143	\$554,143																																																								
Agency Grand Total	\$0	\$0	\$0	\$277,072	\$277,071	\$554,143																																																									
Difference, Options Total Less Target																																																															
Agency FTE Reductions (From FY 2016 and FY 2017 Base Request)				2.0	2.0																																																										

Agency code: **224**

Agency name: **Fourth Court of Appeals District, San Antonio**

Strategy	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
1-1-1 Appellate Court Operations					
OBJECTS OF EXPENSE:					
1001 SALARIES AND WAGES	\$148,886	\$170,301	\$170,301	\$170,301	\$170,301
Total, Objects of Expense	\$148,886	\$170,301	\$170,301	\$170,301	\$170,301
METHOD OF FINANCING:					
1 General Revenue Fund	148,886	170,301	170,301	170,301	170,301
Total, Method of Financing	\$148,886	\$170,301	\$170,301	\$170,301	\$170,301
FULL-TIME-EQUIVALENT POSITIONS (FTE):	1.5	1.5	1.5	1.5	1.5

DESCRIPTION

The administrative and support costs in this strategy are related to the percentage of salaries and related operating costs of court personnel performing administrative functions.

Chief Justice	\$156,500	30%	\$46,950	.30
Coordinating Staff Attorney	\$113,741	10%	\$11,374	.10
Clerk of the Court	\$112,000	80%	\$89,600	.80
Chief Deputy Clerk	\$ 74,591	30%	\$22,377	.30
			\$170,301	1.5

Agency code: **224**

Agency name: **Fourth Court of Appeals District, San Antonio**

		Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
GRAND TOTALS						
Objects of Expense						
1001	SALARIES AND WAGES	\$148,886	\$170,301	\$170,301	\$170,301	\$170,301
Total, Objects of Expense		\$148,886	\$170,301	\$170,301	\$170,301	\$170,301
Method of Financing						
1	General Revenue Fund	\$148,886	\$170,301	\$170,301	\$170,301	\$170,301
Total, Method of Financing		\$148,886	\$170,301	\$170,301	\$170,301	\$170,301
Full-Time-Equivalent Positions (FTE)		1.5	1.5	1.5	1.5	1.5